

2017-84

REC'D AUG 25 2017

WANDA G. AMANN

VIA E-MAIL ONLY

Nova Dubovik, Executive Secretary
Utah State Records Committee
346 South Rio Grande Street
Salt Lake City, Utah 84101-1106
Email: ndubovik@utah.gov

RE: APPEAL TO DENIAL OF GRAMA REQUEST DATED JULY 7, 2017

Dear Nova,

This letter will serve as an appeal to the denial of my GRAMA request dated July 7, 2017, to the Utah Executive Branch Ethics Commission (UEBEC). Pursuant to § 63G-2-204(3) of the Utah Code, the UEBEC's response was due "no later than 10 business days" after they received the written request on July 7, 2017. Their response was therefore due no later than July 19, 2017.

On July 19, 2017, the UEBEC responded with a denial. I timely appealed that denial on July 25, 2017. § 63G-2-401(1)(a) U.C.A. Included in that appeal was notice to the Commission that it failed to comply with § 63G-2-205¹ governing denials. A response was due on August 1, 2017. § 63G-2-401(5)(a)(i) U.C.A.

A week after the deadline passed, on August 8, 2017, the UEBEC responded, through its executive director, and stated that the UEBEC decided "to not respond" to the appeal. As acknowledged by the UEBEC (see attached), that failure is the equivalent of a decision affirming the access denial. § 63G-2-401(5)(b)(i) U.C.A. The relief I am seeking is the provision of all documents requested.

Please find attached: 1) the original request, 2) the denial, 3) the appeal to the Chief Administrative Officer, and 4) email acknowledgment of the UEBEC's decision not to respond.

Thank you for your attention to this matter.

Yours very truly,

Wanda G. Amann
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Enc. (Redactions have been made to these documents to preserve confidentiality.)

cc: Justin Atwater, Executive Director UEBEC, ethics@utah.gov

¹ (1) If the governmental entity denies the request in whole or part, it shall provide a notice of denial to the requester either in person or by sending the notice to the requester's address.

(2) The notice of denial shall contain the following information:

(a) a description of the record or portions of the record to which access was denied, provided that the description does not disclose private, controlled, or protected information or information exempt from disclosure under Subsection 63G-2-201(3)(b)